

20AC4-1106-PC-325

20AB0601CR14

1 STATE OF INDIANA) IN THE ELKHART CIRCUIT COURT
2 COUNTY OF ELKHART) SS:
3) CAUSE NO: 20C01-0309-MR-00155
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Reporter's transcript of the proceedings in the
above-entitled matter commenced on Thursday, September 9,
2003; Thursday, February 12, 2004; Thursday, July 15,
2004; Thursday, July 29, 2004; Thursday, July 28 2005;
Thursday, September 1, 2005, before the HONORABLE TERRY
C. SHEWMAKER, Judge of the Elkhart Circuit Court, Goshen,
Indiana.

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STATE OF INDIANA
CLERK OF COURTS

JAN 19 2006

APPEARANCES:

FOR THE STATE OF INDIANA: Vicki Elaine Becker
FOR THE DEFENDANT: Christopher C. Crawford

1 THE COURT: All right. Let's hear what you
2 have to say.

3 MS. BECKER: Thank you. State would agree
4 there are mitigating circumstances in this case,
5 specifically the lack of criminal history and one that
6 was not pointed out earlier: The fact that defendant did
7 cooperate with the police. Upon being questioned, the
8 defendant did provide the detailed information admitting
9 to the strangling of Helen Sailor; and the state does
10 recognize and respect that.

11 As for mental disability, the State of Indiana
12 does recognize that Mr. Royer does have a mental
13 disability, a very serious mental disability; however, we
14 believe that is mitigated slightly by the fact that he
15 chose from time to time not to take his medication.
16 However, we also have to look at this from the
17 perspective of the two of them together, Lana Canen and
18 Andy Royer, because it took both of them to commit this
19 crime.

20 The State of Indiana does not believe that this
21 crime would have occurred without the influence of Lana
22 Canen upon Mr. Royer; however, Mr. Royer willingly and
23 violently followed Lana Canen's lead. In the statement,
24 most of which could not be played for the jury that was
25 redacted, he admitted that this was all about Lana Canen